

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

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vs.

*

Criminal No.: JFM-14-0075

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WALEEB AFTAB

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MOTION TO SUPPRESS STATEMENTS

The defendant, Waleeb Aftab, by and through his attorney, Alan R. L. Bussard, hereby respectfully moves this Honorable Court, pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure, to suppress any and all statements, admissions and confessions allegedly given by the defendant, whether oral, written or otherwise recorded, which the government proposes to use as evidence against the Defendant at trial, and in support of the motion alleges as follows:

1. The defendant is charged in a two-defendant, indictment with Conspiracy to defraud the United States in violation of Title 21 U.S.C., § 371; Unlawful Export of Defense Articles in violation of Title 22 U.S.C., § 2778, and; Unlawful Export of Goods in violation of Title 50 U.S.C., § 1705.

2. Mr. Aftab was arrested on a warrant by Special Agents for Homeland Security Investigations (HSI) on March 25, 2014 at John F. Kennedy International Airport in New York as he was attempting to board a flight for Pakistan.

3. Discovery and investigation indicates that, following his arrest, Mr. Aftab was

questioned by law enforcement personnel, Special Agents Daniel Beresh and Tonya Matney participating in the execution of the warrant. During said questioning, Mr. Aftab is alleged to have admitted mailing packages, using false names, to Pakistan at the express request of Kamran Malik and others. He also is alleged to have admitted to posting images of him holding an AK-15 rifle and having knowledge of how weapons are sold in Pakistan.

4. To the extent that the government intends to introduce any statements at trial, Mr. Aftab asserts that said statements, admissions, or confessions were obtained in violation of Mr. Aftab's privilege against self-incrimination and his right to counsel, as guaranteed by the Fifth and Sixth Amendments to the United States Constitution and the Supreme Court's holding in Miranda v. Arizona, 384 U.S. 436 (1966).

5. Mr. Aftab is entitled to a hearing regarding the voluntariness of any statements, admissions, or confessions attributed to him in accordance with the provisions of Title 18, U.S.C., section 3501 and the principles set forth in the case of United States v. Inman, 352 F.2d 954 (4th Cir. 1965).

WHEREFORE, the Defendant moves that all statements, admissions and confessions which the government proposes to us as evidence against him, whether, oral, written or otherwise recorded, be suppressed.

Respectfully submitted,

/s/

Alan R. L. Bussard
405 Allegheny Avenue
Towson, Maryland 21204
(410) 821-5589
Attorney for Defendant

REQUEST FOR HEARING

Pursuant to Rule 105.6 of the local rules of the United States District Court for the District of Maryland, a hearing is requested on the Defendant's Motion.

/s/

Alan R. L. Bussard

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 27th day of May, 2014, a copy of the foregoing Motion to Suppress Statements was electronically filed with the Clerk of the United States District Court using CM/ECF, with a notice of said filing to the following:

Christine Manuelian, Esquire
Asst. U.S. Attorney
36 S. Charles Street, 4th Floor
Baltimore, Maryland 21201

/s/

Alan R. L. Bussard